

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by September 1, 2003.
*If the mail recipient's name, address or phone No. is wrong or missing, please correct.
Owner of Record: RUBICON MUTUAL WATER CO;



S002410%S%2002

STAT 2000, 2001, 2002

CONTROL BOARD

2003 SEP -2 AM 10:46

DIV. OF WATER RIGHTS
SACRAMENTO

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**RUBICON MUTUAL WATER CO
C/O MERCHANTS BOOKKEEPING & TAX SERVICE
1880 PLEASANT VALLEY AVE #3
OAKLAND, CA 94611**

STATEMENT NO.: S002410
CONTACT PHONE NO.: (510)653-9424

FOR ONLINE REPORTING AT
www.waterrights.ca.gov

USER NAME: S002410
PASSWORD: D14634

Source Name: RUBICON CREEK
Tributary To: LAKE TAHOE
County: El Dorado
Diversion Within: NE1/4 of NW1/4 Section 09, T13N, R17E, MB&M

Year of First Use: 1925
Parcel Number:

A. Water is used under: Riparian claim ☒ Pre 1914 right ☐ Other (explain): ☐

B. Year of first use (Please provide if missing above)

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Approximate Amounts below are: * Gallons ☒ Acre-feet ☐ Other ☐

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual	
2000	30,000	30,000	30,000	30,000	300,000	600,000	600,000	600,000	600,000	300,000	30,000	30,000	3,180,000	approx.
2001	30,000	30,000	30,000	30,000	300,000	600,000	600,000	600,000	600,000	300,000	30,000	30,000	3,180,000	approx.
2002	30,000	30,000	30,000	30,000	300,000	600,000	600,000	600,000	600,000	300,000	30,000	30,000	3,180,000	approx.

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 75 ^{approx.} acres; Stockwatering ; Domestic

Other (specify) Fire Protection: 300 acres approx.

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) N/A

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒

Describe any water conservation efforts you have initiated:

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved: N/A

Reductions in Diversions:

yr (af/mg) yr (af/mg) yr (af/mg)

Reductions in consumptive use:

yr (af/mg) yr (af/mg) yr (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO X
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used: N/A
- yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
- I have data to support the above surface water use reductions due to wastewater reclamation. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO N/A
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used: N/A
- yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
- I have data to support the above surface water use reductions due to conjunctive use efforts. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future. N/A

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: August 29, 2003 at San Francisco, California

SIGNATURE: Samuel M. Livermore

PRINTED NAME: Samuel (first name) M. (middle init.) Livermore (last name)

Title: Treasurer

COMPANY NAME: Tamarack Mutual Water Company/Rubicon Mutual Water Company

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1997

OWNER OF RECORD: RUBICON MUTUAL WATER CO., ATTN: JERI DAHLEN

RUBICON MUTUAL WATER CO., ATTN: JERI DAHLEN
1880 PLEASANT VALLEY AVENUE
OAKLAND, CA 94611

STATEMENT NO: S002410



SOURCE: RUBICON CREEK

TRIBUTARY TO: LAKE TAHOE

COUNTY: EL DORADO

DIVERSION

WITHIN: NE¼ OF NW¼ SECTION 9, T13N, R17E, MB&M.

TELEPHONE NUMBER:

(510) 653-9424

YEAR OF FIRST USE: 1925

PARCEL NO:

A. Water is used under: ☒ Riparian claim ☒ Pre 1914 right ☐ Other (explain):

B. Year of first use (Please provide if missing above)

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other)

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1994	/	/	/	/	/	/	/	/	/	/	/	/	/
1995	/	/	/	/	/	/	/	/	/	/	/	/	/
1996	/	/	/	/	/	/	/	/	/	/	/	/	/

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 30 acres (approx) acres; Stockwatering n/a; Domestic 15 homes

Other (specify) fruit ponds, fire protection, recreation

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

n/a

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

n/a

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 7-15, 19 97 at San Francisco, California

SIGNATURE: Samuel M. Livermore Treasurer

PRINTED NAME: Samuel (FIRST NAME) M. (MIDDLE INIT.) Livermore (LAST NAME)

COMPANY NAME: Rubicon Mutual Water Company Treasurer

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

Cooley Godward LLP

ATTORNEYS AT LAW

One Maritime Plaza
20th Floor
San Francisco, CA
94111-3580
Main 415 693-2000
Fax 415 951-3699

<http://www.cooley.com>

SAMUEL M. LIVERMORE
415 693-2113
livermoresm@cooley.com

Palo Alto, CA
415 843-5000
Menlo Park, CA
415 843-5000
San Diego, CA
619 550-6000
Boulder, CO
303 546-4000
Denver, CO
303 606-4800

July 17, 1997

Mr. Roger Johnson
Assistant Division Chief
State Water Resources Control Board
Division of Water Rights
P. O. Box 2000
Sacramento, CA 95812-2000

Dear Mr. Johnson:

Enclosed please find the Supplemental Statement of Water Diversion and Use Form (WR 40-1) for years 1994-1995-1996.

Please excuse the tardiness in returning this form to you which was due to the delay in the bookkeepers sending it out to company officers. Please feel free to call with any questions.

Very truly yours,



Samuel M. Livermore

SML:jm

Enclosures

cc: G. Dahlen
D. Johnson

21346120

STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503

(916) 324-5676

STATE WATER RESOURCES
CONTROL BOARD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1991 JUN 27 AM 11:23

DIVERTER OF RECORD:

DIV. STATEMENT NO: 002410
SACRAMENTO

RUBICON MUTUAL WATER CO

C/O ANN H. LEWIS

625 MARKET STREET

SAN FRANCISCO, CA 94105

HAL LOTSKY

1679-B Lombard

94123

TELEPHONE NUMBER:

(415) 433-2548

921-4051

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: RUBICON CREEK

TRIBUTARY TO: LAKE TAHOE

COUNTY: EL DORADO

DIVERSION

WITHIN: NE1/4 OF NW1/4 SECTION 09, T13N, R17E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons
below are: ☐ Acre-feet

☒ (other)

(NO MEASURING EQUIPMENT)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988													
1989													
1990													

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation

N/A

Stockwatering

N/A

Domestic

19 Hook ups

Other (specify)

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NONE

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED:

6/24/91

19

at

San Francisco

California

Signature:

[Signature]

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 002410

RUBICON MUTUAL WATER CO

~~610 HAL LUTSKY CO MERCHANTS BOOKKEEPING~~

~~16745 LOMBARD STREET 1880 PLEASANT VALLEY AVE, SUITE "E"~~

~~SAN FRANCISCO, CA 94123 OAKLAND, CA 94611~~

TELEPHONE NUMBER:

~~(415) 921-4051~~
(510) 653-9424

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: RUBICON CREEK

TRIBUTARY TO: LAKE TAHOE

COUNTY: EL DORADO

YEAR OF FIRST USE: 1925

DIVERSION

WITHIN: NE1/4 OF NW1/4 SECTION 09, T13N, R17E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

- A. Water is used under: Riparian claim ☒; Pre 1914 right _____; Other (explain) _____
- B. Year of first use (Please provide if missing above) _____
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991						600,000	600,000	600,000					1,800,000
1992						"	"	"					"
1993						"	"	"					"

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering _____; Domestic ☒ (Homes + yard)
Other (specify) _____

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 4/18, 1994, at Antioch, California

Signature: Carol P. Spicker

WR 40-1 (1/94)
FOR0127R2

MAY 18 1994

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

3-2 H10
12/18/95
** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS **

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S002410

OWNER OF RECORD: RUBICON MUTUAL WATER CO

~~HAL LUTSKY~~

~~1674B LOMBARD STREET~~

~~SAN FRANCISCO, CA 94123~~

c/o Merchants Bookkeeping & Tax Service
1880 Pleasant Valley Avenue #E
Oakland, CA 94611
Attn: Jeri Dahlen

SOURCE: RUBICON CREEK

TRIBUTARY TO: LAKE TAHOE

COUNTY: EL DORADO

DIVERSION

WITHIN: NE¼ OF NW¼ SECTION 9, T13N, R17E, MDB&M.

TELEPHONE NUMBER:

(415) 921-4051

YEAR OF FIRST USE: 1925

PARCEL NO: 17-061-051

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

- A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) _____
- B. Year of first use (Please provide if missing above) _____
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1993	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1994	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation * _____ acres; Stockwatering n/a; Domestic approx 16 households

Other (specify) fire protection

* extensional - approx 10 acres (est.)

*** CONTINUE ON BACK PAGE ***

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

n/a

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

n/a

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/26, 1995, at San Francisco, California

SIGNATURE: Sam M. Livermore

PRINTED NAME: Samuel M. Livermore

COMPANY NAME: Treasurer, Rubicon Natural Water Company

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"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE
INFORMATION SHEET

STATEMENT NO. 5002410

DIVERSION SITE:

OWNER'S NAME Rubicon Mutual Water Company
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 17-061-051

PLACE OF USE:

OWNER'S NAME Rubicon Mutual Water Company
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 17-061-051

2. PARCEL NO. _____

3. PARCEL NO. _____

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL
STATEMENTS:

OWNER / LESSEE / AGENT / OTHER _____

NAME Rubicon Mutual Water Company
(FIRST) c/o Merchants Bookkeeping & Tax Service

MAILING ADDRESS 1880 Pleasant Valley Avenue #E
Oakland, CA 94611 Attn: Jeri Dahlen
(CITY) (STATE) (ZIP)

TELEPHONE NO. (510) 653 - 9424

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME Tamarack Mutual Water Company
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS same as above
(CITY) (STATE) (ZIP)

TELEPHONE NO. () -

2. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. () -

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL
INFORMATION BOX.

S 2430

SWRB-20, 0-06